

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

TRINITY CROSS, <i>et al.</i> ,)	
)	
Plaintiffs,)	
)	
v.)	Cause No. 4:05CV772SNL
)	
THE CITY OF ST. LOUIS, <i>et al.</i> ,)	
)	
Defendants.)	

**DEFENDANT DENISE STRITTMATTER’S MOTION FOR PARTIAL SUMMARY
JUDGMENT**

COMES NOW, Defendant Denise Strittmatter (“Defendant”), by and through her undersigned counsel, pursuant to Federal Rule of Civil Procedure 56, and hereby moves for summary judgment with regard to Plaintiffs’ claims for damages under the Missouri Constitution, Plaintiffs’ 42 U.S.C. § 1983 claims for violation of the Equal Protection Clause, Plaintiffs’ request for declaratory and injunctive relief, Plaintiffs’ claims for conspiracy under 42 U.S.C. § 1983 and 42 U.S.C. § 1985, Plaintiffs’ claims under 42 U.S.C. § 1986, Plaintiffs’ claims for unlawful arrest, unlawful entry, search and seizure of property, unlawful pat-down search, violation of First Amendment right to protest, false imprisonment and battery arising out of the events that occurred at 3309 Illinois, Plaintiffs’ Dupre, Meister, and Verhelst’s claims of unlawful bodily search at 3309 Illinois, Plaintiffs’ claims arising out of the events that occurred at 3022 Cherokee and Tower Grove Park and arising out of the alleged detainment of Eric Carter as alleged in Plaintiffs’ First Amended Complaint, as amended (#’s 70 and 204), as there are no genuine issues of material fact and Defendant is entitled to judgment as a matter of law.

Defendant has filed her Statement of Uncontroverted Material Facts and Memorandum in Support of her Motion for Partial Summary Judgment contemporaneously herewith and incorporates the same by reference.

WHEREFORE, Defendant Denise Strittmatter respectfully requests that the Court grant her summary judgment with regard to the claims identified above and grant any further relief the Court deems just and proper.

Respectfully submitted,

CHRIS KOSTER
Attorney General

/s/ Robert J. Isaacson
Robert J. Isaacson
Assistant Attorney General
815 Olive Street, Suite 200
St. Louis, Missouri 63101
(314) 340-7861 telephone
(314) 340-7029 facsimile
Attorneys for Defendant Strittmatter

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was filed electronically with the Clerk of Court this 3rd day of August, 2009 to be served by operation of the Court's electronic filing system, upon the following:

Rory Ellinger
Ellinger & Associates, P.C.
797 W. Terra Lane
O'Fallon, Missouri 63366
Attorney for Plaintiffs

William Quick, Esq.
7751 Carondelet, Suite 403
Clayton, Missouri 63105
Attorney for Plaintiffs

Gary R. Sarachan
Sheila Greenbaum
Capes, Sokol, Goodman, Sarachan, P.C.
7701 Forsyth Boulevard
12th Floor
St. Louis, MO 63105

Anthony E. Rothert
ACLU of Eastern Missouri
454 Whittier Street
St. Louis, Missouri 63108

Denise Thomas
Assistant Attorney General of Missouri
Post Office Box 861
St. Louis, MO 63188

Robert J. Isaacson